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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/672,146	GOLDBERG ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Steven B. Theriault	2179	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed 11/09/2007.
2. ☒ The allowed claim(s) is/are 7, 10-12, 14, 16, 17, 19, 20, 27, 30-32, 34, 36, 37 and 39-44.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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|---|---|
| <ol style="list-style-type: none"><li>1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li><li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li><li>3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br/>Paper No./Mail Date _____</li><li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li></ol> | <ol style="list-style-type: none"><li>5. <input type="checkbox"/> Notice of Informal Patent Application</li><li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li><li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li><li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li><li>9. <input type="checkbox"/> Other _____</li></ol> |
|---|---|

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Chee on 01/18/2007.

**In the Claims, please amend the claims as attached:** (The application has been amended by applicant and sent to examiner via fax).

#### ***Interview Summary***

The Examiner contacted the applicant to discuss the limitations of the Independent claims and claim terminology and discussed possible subject matter in the specification that could be added to the claim. Applicant provided suggestions and the Examiner asked applicant to incorporate changes into a proposed amendment for consideration. Said amendment is attached.

#### ***Computer Readable Medium***

It is noted that the Examiner has analyzed the computer readable medium claims and, per the amendment on 08/15/2006, the claims recite a "computer readable storage medium" and are interpreted to be limited to the storage mediums in the specification (See Para 107-109), in accordance with the current guidelines in MPEP 2106.

#### ***Allowable Subject Matter***

2. Claims 7, 10, 11-12, 14, 16-17, 19-20, 27, 30-32, 34, 36-37, 39-44 are allowed.
3. The following is an examiner's statement of reasons for allowance:

*Claims 7, 10, 14:*

The closest prior art of Mah et al (hereinafter Mah) U.S. Patent No. 6982798 teaches a data mining technique that allows the system and user with the ability to present information in a funnel type arrangement for the purposes of visualizing filtering results (See Figure 1 and 2). The results of the datasets are shown in a width of the first set being wider than the preceding sets. Mah states the width criteria can be specified and that the width can be a specific size of a funnel step.

Mah does not teach that the first region of the funnel is representative of the data set size and where the first region is located in proximity to a first filter icon and that the width is related to the expected size of the data set. Second, Mah does not teach a second preview indication in a second region there the width of the icon is representative of the expected dataset size and the second set and first are equal while the second region is continuously narrowing or widening from the second starting width of the second region that is adjacent or connected to the first region and a second filter icon being located in proximity to the second region, as recited in the claims.

The prior art of Krehl also teaches a graphical metaphor representing a query to be executed against a database. The query of Krehl shows a size parameter that designates a region of the display for filtering data sets. The user can define various query operations by designating icons in a given location. However, Krehl does not teach that the first region of the funnel is representative of the data set size and where the first region is located in proximity to a first filter icon and that the width is related to the expected size of the data set. Krehl does not teach a second preview indication in a second region there the width of the icon is representative of the expected dataset size and the second set and first are equal while the second region is continuously narrowing or widening from the second starting width of the second region that is adjacent or connected to the first region and a second filter icon being located in proximity to the second region, as recited in the claims.

The prior art of Neale teaches a graphical query builder that allows a user to apply a filter icon to construct a graphical query. Each icon represents a Boolean operator. The results page (See figure 6) shows how a user can see a preview of Boolean operators being applied to subject

matter important to the user. The results are displayed with a field containing the number of hits along with the preview of the content. Neale shows the logic in a tree (See figure 9). However, the filters of Neale do not have an icon representing a width of the expected size of the data set and they do not have a continuously widening or narrowing region starting from the second starting width of the second region connected to the first region. The filter icons are also not displayed next to each region where they are applied.

The prior art of Szabo teaches a graphical query builder where a data set result is displayed next to a Boolean operator. The user can determine from the application of the data operator the effect the operation has on a dataset. Szabo teaches placing the filter icons next to the datasets. Szabo does not teach that the first region of the funnel is representative of the data set size and where the first region is located in proximity to a first filter icon and that the width is related to the expected size of the data set. Szabo does not teach a second preview indication in a second region where the width of the icon is representative of the expected dataset size and the second set and first are equal while the second region is continuously narrowing or widening from the second starting width of the second region that is adjacent or connected to the first region and a second filter icon being located in proximity to the second region, as recited in the claims.

Therefore, in light of the applicant's amendment, the prior art of Mah, Neale, Szabo, and Krehl do not teach or suggest the combined limitations of the amended claims as submitted. Therefore, the claims as amended are allowable.

*Claims 11-13, 16-17, 19-20, 25, 27, 30-32, 34, 36-37, 39-44*

These claims are dependent upon claims 7, 10 and 14 respectively, and are thus allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven B. Theriault whose telephone number is (571) 272-5867. The examiner can normally be reached on M-F 7:30 - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SBT

  
**WEILUN LO**  
**SUPERVISORY PATENT EXAMINER**